

ORIGINAL

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX
CIVIL DIVISION

2010 JUN 14 PM 4:04

CLERK OF COURT

No. 10-10310

4:09-CV-659-Y

GENE O. SWANIGAN, SR.,

Plaintiff - Appellant

v.

CARMAX CORPORATION,

Defendant - Appellee

Appeal from the United States District Court for the
Northern District of Texas, Fort Worth

CLERK'S OFFICE:

Under 5th Cir. R.42.3, the appeal is dismissed as of 6/9/2010, for want of prosecution. The appellant failed to timely file appellant's brief and record excerpts.

A true copy
Attest:

Clerk, U. S. Court of Appeals, Fifth Circuit

By: Gina Randazzo Martin

Deputy
New Orleans, Louisiana 09 JUN 2010

Clerk of the United States Court
of Appeals for the Fifth Circuit

Gina Randazzo Martin

By: _____
Gina Randazzo Martin, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

DIS2

ORIGINAL

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

RECEIVED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX.
FT. WORTH DIVISION

2010 JUN 14 PM 4:05
TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70139

June 09, 2010

Ms. Karen S. Mitchell
Northern District of Texas, Fort Worth
United States District Court
501 W. 10th Street
Room 310
Fort Worth, TX 76102

No. 10-10310, Gene Swanigan, Sr. v. Carmax Corporation
USDC No. 4:09-CV-659 - Y

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk

Gina Randazzo Martin

By:
Gina Randazzo Martin, Deputy Clerk
504-310-7687

cc w/encl:
Mr. John Gray Harrison
Mr. Gene O. Swanigan Sr.

MDT-1